

REMARKS

Summary

Claims 1-6, 12, 23-28, 31-33, 43, 44, and 47-48 were rejected and Claim 13 is allowed in the present Office action. Claims 1, 12, and 23 have been amended; Claims 43-44 and 48 has been cancelled. No new matter has been introduced.

Claim Rejections

35 U.S.C. §102

Claims 1-5, 12, 23, 25-27, 43, 44, and 47 were rejected under 35 U.S.C. §102 (b) as being anticipated by U.S. Patent No. 5,886,759 ("Mashino"). Claim 1, as amended recites "wherein the hardened part is integral to the optical sheet." The structure referred to as "the hardened part" in the Office Action, page 3, includes the light guide 37 to the reflector sheet 70 and everything in-between, including a double-sided tape 79 that further "includes an adhesive layer 78, a base layer 76 and an adhesive layer 77." FIG. 5; col. 6, lines 52-53. Clearly, the part considered "hardened" in Mashino is not "integral to the optical sheet" as recited by claim 1, but is made up of a multitude of layers, including adhesive that can hardly be considered "hardened" or even a part of "the optical sheet."

Furthermore, Mashino makes no mention of temperature and fails to mention the term hard or hardened anywhere, thus providing no reason for an ordinary skilled practitioner to refer to it with regards to claim 1. For at least these reasons, Mashino fails to anticipate claim 1 because it fails to teach each and every feature of claim 1. Likewise, claims 2, 4-6 and 12 are believed to be patentable over Mashino by virtue of their dependency from claim 1.

Claim 23, as amended, recites as in claim 1 that "the hardened part is integral to the optical sheet." For at least the same reasons as discussed above with reference to claim 1, Mashino fails to anticipate claim 23. Likewise, claims 24-25, 27-28, 31-33, and 47 are believed to be patentable over Mashino by virtue of their dependency from claim 23.

Claims 1, 2, 12, 23-25, 31-33, 47, and 48 were rejected under 35 U.S.C. §102 (e) as being anticipated by U.S. Patent No. 6,891,580 ("Jang"). The structure referred to in Jang is a bent portion of several optical sheets (260, 270, 280) that is not called out or discussed in Jang. The Office Action, on page 5, states that "the stress involved in bending the sheets inherently causes part of it to be hardened [the amount of hardening will vary, presumably related to the amount of stress in bending]." It goes on to also assume that "the bent portion/hardened part increases the thermal resistance." These are a lot of assumptions from a disclosure that discusses nothing of the bent portion and that is directed entirely at preventing light from leaking into a liquid crystal panel while simplifying manufacture processing. Col. 2, lines 24-32. If creating the bent portion in Jang causes additional manufacturing steps, Jang actually teaches away from producing "a hardened part [having] a longitudinal axis spaced a distance from a nearest edge of the optical sheet disposed parallel to the longitudinal axis."

For instance, the bent portion in Jang may be formed from a mold (e.g., the optical sheet(s) is/are formed originally with a bent portion), and therefore, never undergo the stress "generated within the optical sheet 46 due to the processing used to form the bent part 48 [that] causes at least a part of the optical sheet 46 to be hardened as pressure is applied" (emphasis added). [0072] Application.

Note that the Applicants believe the hardening process to be sufficiently taught under 35 U.S.C. § 112 by the Application because it refers to applying pressure, and teaches that fabrication "may be achieved using convention cutting tools, with the sharpness and speed of the tool determined as appropriate." [0072] The Application also teaches that "the bent part 48 may be formed either proximate to the end along the entirety of each optical sheet 46 or along the area substantially affected by the heat generated by the light source 52." [0072] It also teaches that "the bent part 48 may be formed by bending all four sides of the optical sheet 46," or "opposing sides of the optical sheet 46 that are substantially parallel with the light source 52," etc. [0073] Accordingly, there are sufficient teachings as to the process used so that one of ordinary skill in the art would know to apply pressure when bending the bent part 48 and to optionally use a cutting tool to facilitate different degrees of bending and hardening. Jang simply does not disclose anything that would lead to anything but a bare

assumption that the unmentioned, yet displayed, optical sheet with bent portion includes "a hardened part."

For at least these reasons, Jang fails to disclose each and every feature of claims 1 and 23. Likewise, claims 2, 4-6, and 12 are believed to be patentable over Jang by virtue of their dependency from claim 1, and claims 24-25, 27-28, 31-33, 43-44, and 47 are also believed to be patentable over Jang by virtue of their dependency from claim 23.

Furthermore, the Applicants note that Jang and the present application have a common assignee and inventor, as recognized on page 4 of the Office Action. To preempt any future 35 U.S.C. § 103(a) rejection over (or in view) of Jang, the Applicants submit evidence under 35 U.S.C. § 103(c) that removes Jang as a § 103 reference. Section 103(c) reads in part:

(c)(1) Subject matter developed by another person, which qualifies as prior art only under one or more of subsections (e), (f), and (g) of section 102 of this title, shall not preclude patentability under this section where the subject matter and the claimed invention were, at the time the claimed invention was made, owned by the same person or subject to an obligation of assignment to the same person.

Jang was assigned to LG Phillips LCD Co., LTD, which assignment was recorded on October 07, 2002 after being executed by SE C. Won on July 10, 2002, by Myong-Gi Jang on July 11, 2002, and by Dong J. You on July 12, 2002. The assignment may be found in the records of the U.S. Patent and Trademark Office at reel 013371 and frame 0831. The present application was assigned to LG Phillips LCD Co., LTD, and was recorded on November 03, 2003, after having been executed on October 22 and 26, 2003. The assignment may be found in the records of the U.S. Patent and Trademark Office at reel 014679 and frame 0779.

At the time the invention was made by Applicants, therefore, the subject matter of the claimed invention was "owned by the same person or subject to an obligation of assignment to the same person," LG Phillips LCD Co., LTD. Jang, therefore, is disqualified as prior art under § 103(c).

35 U.S.C. §103(a)

Claims 6 and 28 were rejected under 35 U.S.C. §103(a) as being unpatentable over Mashino in view of U.S. Patent No. 6,595,651 ("Jeong"). Claims 6 and 28 are dependent claims and the claims are allowable as claims dependent from an allowable base claim, respectively, claims 1 and 23.

Rejoinder of Withdrawn Claims

Withdrawn Claims 7-10, 14-21, 29-30, and 34-42 depend on now allowable claims which should be considered as generic to the withdrawn claims. The Applicants respectfully request that the withdrawn claims now be rejoined to the prosecution and allowed as well.

Conclusion

Claims 1-2, 4-6, 12-13, 23-25, 27-28, 31-33, 43-44, and 47 are pending. For at least the reasons given above, the Applicant respectfully submits that the pending claims are allowable.

The Examiner is respectfully requested to contact the undersigned in the event that a telephone interview would expedite consideration of the application.

Respectfully submitted,

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